

PROPOSED REFUGEE ADMISSIONS

for
FISCAL YEAR 2004

REPORT TO THE CONGRESS

SUBMITTED ON BEHALF OF
THE PRESIDENT OF THE UNITED STATES
TO THE
COMMITTEES ON THE JUDICIARY
UNITED STATES SENATE
AND
UNITED STATES HOUSE OF REPRESENTATIVES

IN FULFILLMENT OF THE REQUIREMENTS OF
SECTION 207(e) (1)-(7)
OF THE
IMMIGRATION AND NATIONALITY ACT

Department of State
Department of Homeland Security
Department of Health and Human Services



Introduction

This *Proposed Refugee Admissions for Fiscal Year 2004: Report to the Congress* is submitted in compliance with Section 207(e) of the Immigration and Nationality Act (INA). The Act requires that before the start of the fiscal year and, to the extent possible, at least two weeks prior to consultations on refugee admissions, members of the Committees on the Judiciary of the Senate and the House of Representatives be provided with the following information:

- (1) A description of the nature of the refugee situation;
- (2) A description of the number and allocation of the refugees to be admitted and an analysis of conditions within the countries from which they came;
- (3) A description of the plans for their movement and resettlement and the estimated cost of their movement and resettlement;
- (4) An analysis of the anticipated social, economic, and demographic impact of their admission to the United States¹;
- (5) A description of the extent to which other countries will admit and assist in the resettlement of such refugees;
- (6) An analysis of the impact of the participation of the United States in the resettlement of such refugees on the foreign policy interests of the United States; and
- (7) Such additional information as may be appropriate or requested by such members.

¹ Detailed discussion of the anticipated social and economic impact, including secondary migration, of the admission of refugees to the United States is being provided in the *Report to the Congress* of the Refugee Resettlement Program, Office of Refugee Resettlement, Department of Health and Human Services.

Foreword

The United States remains steadfast in its commitment to offer resettlement to refugees in need. This document outlines the President's proposal for the United States refugee admissions program in FY 2004. It includes detailed narrative and statistical information about the current program, regional ceilings for the coming year, and a strategy for implementation in FY 2004 by the Departments of State, Homeland Security and Health and Human Services. This document also presents the issues affecting refugee protection and resettlement in today's turbulent world and the strategic initiatives the Administration has begun or will undertake to restore the vibrancy of the program.

The last two fiscal years have been extraordinarily challenging for the refugee admissions program. For the second year running, we will admit far fewer refugees than we had initially anticipated. In spite of heightened security concerns, however, and the need to screen refugees more thoroughly than ever before, the program has continued to offer safe haven to some of the world's most vulnerable. New security clearance requirements are now in place and functioning to help ensure that those refugees who enter the United States do not pose a threat to the people of this country. The delays caused initially by the implementation of these procedures have been significantly reduced in the past year, thanks to close coordination and collaboration among the Departments of State, Homeland Security, and Justice. All agencies continue to work to streamline the process while maintaining the highest commitment to protecting national security, and FY 2004 will see no relaxation of that effort.

The Administration made significant progress toward building a stronger admissions program in FY 2003. As previewed in last year's Report to Congress, the United States launched an intensive effort to augment the ability of the United Nations High Commissioner for Refugees (UNHCR) to identify and refer refugees in need of resettlement. By providing significant targeted funding to UNHCR, linked directly to resettlement positions in locations where refugee populations with resettlement needs are located, the United States has led UNHCR to focus resources more effectively than ever on this important function. Already the results of this effort are evident in thousands of new referrals of Liberians in West Africa, and increased caseloads in Cairo, Nairobi, Dar es Salaam, Quito, and San Jose. At the same time, United States government personnel traveled overseas to work with UNHCR, host governments, and United States diplomatic missions to explore potential groups for processing including Meskhetian Turks in Russia, Congolese long-stayers in Angola, Bhutanese in Nepal, Kunama Eritreans in Ethiopia, Congolese Tutsi in Rwanda, Colombians in Central and South America, and Liberians in West Africa. The State Department continues to take the lead internationally to help resolve the situations of these and other refugee groups. FY 2004 will likely see the first admissions from several of these groups. State Department involvement has also, in some instances, encouraged movement towards an outcome other than resettlement in the United States – repatriation or local integration – resulting in durable solutions for larger numbers of refugees.

We are still working to restore the capacity of the admissions program to offer assistance to many more of the refugees identified for resettlement. Serious challenges remain. In FY 2002, some 27,000 refugees arrived in the United States under the program; in FY 2003, the

program will likely bring no more than 28,000 refugees – still well below authorized Administration ceilings, and well below the levels of resettlement we would like to see. This shortfall in admissions has resulted both from positive changes in the world affecting refugee populations and the challenges to our processing efforts. The dramatic changes in Iraq and Afghanistan are making it possible for Iraqi and Afghan refugees to return to their home countries. Large-scale repatriations are also underway in Sierra Leone and Angola. Many refugees from these countries until recently were under consideration for resettlement. In other parts of the world refugees live in despair, fear, and in precarious situations, and many of them can still benefit from resettlement.

The security environment, however, continues to pose major challenges for the program, primarily in terms of access to refugee populations for processing. In FY 2003, large-scale processing of more than 12,000 refugees was planned in Kakuma camp in northeast Kenya. Direct threats against United States personnel early in the fiscal year brought processing to a stop, and as recently as June 2003 case-processing staff was evacuated in the midst of gunfire in the vicinity of the camp. Fortunately, DHS was able to resume adjudications once the security situation had improved. The FY 2003 processing plan also included intentions to process an estimated 7,000 refugees in the Ivory Coast. In the fall of 2002, civil war broke out in that country, scattering the refugees throughout the region and effectively derailing all processing plans until very recently. At a number of locations in the Near East/South Asia region, embassy drawdowns and other official travel restrictions forced postponement of refugee circuit rides. Based on assessments of transnational terrorism threats, the impact of the war in Iraq, and other factors directly related to the safety of American personnel involved in refugee processing activities, several processing sites active prior to September 11, 2001 were determined this year not to satisfy basic security needs. As unforeseen security challenges have arisen, the Department of State and Department of Homeland Security's Bureau of Citizenship and Immigration Services (DHS/BCIS) have collaborated to redirect resources to locations providing greater safety for U.S. personnel. This has included moving large numbers of refugees to safe venues for processing.

Wherever possible, the Department of State has funded security upgrades to provide a safer working environment for staff of Overseas Processing Entities (OPE) and officers of DHS/BCIS, but processing in many locations was impossible throughout FY 2003. Security concerns particularly upset processing in the Middle East, impacting plans to bring in some 7,000 refugees from region. The State Department is committed to working aggressively with all processing partners to upgrade security wherever possible, to move refugees to safer processing locations whenever feasible, and to take advantage of any opportunity to process cases safely.

Security is not the only issue affecting the predictability of projected admissions. In West Africa, relationship fraud has resulted in the disqualification of many previously approved family reunification cases. In Russia, there has been a precipitous decline in the number of new applicants and the percentage of those appearing for interview. The combined effect of this may be that only 60-70% of the 14,000 projected refugee admissions from the former Soviet Union will actually reach United States shores this year. We have urged refugees who have been approved in the region to travel to the U.S. as quickly as possible.

New procedures instituted by the Department of Homeland Security and the FBI are, after many difficulties, streamlining security processing in a meaningful way. Most background checks are now taking 45 days to process, down from the many months required in the recent past. The United States has made major progress in clearing the backlog of thousands of cases on security hold in the family reunification category. Government agencies have collaborated closely with our voluntary agency partners to develop procedures to detect and minimize fraud when it occurs and to educate those seeking to unite with a family member about the implications of misrepresenting relationships on applications. In addition, FY 2003 saw the nearly full deployment of the Worldwide Refugee Admissions Processing System (WRAPS), the State Department's automated case information tracking system. With only one additional overseas deployment pending, the system now functions at thirteen overseas processing locations. This system has already enhanced the security of the admissions program by allowing more thorough cross-checking of referrals, double-checking of security clearance requirements, and real-time access to processing information on any given case.

As previewed in last year's Report, a pilot NGO referral program is now functioning in East Africa, drawing on the knowledge of assistance partners to refer cases of special need to the program. While numbers of cases in this program remain small, the Administration is committed to growing this dramatically and is planning to replicate the effort elsewhere. We are committed to maximizing use of existing refugee categories to expand access to the program, by supporting greater capacity referrals by both NGOs and UNHCR and by increasing efforts to identify eligible and accessible groups. In addition, we are expanding the list of nationalities eligible to file for family reunification in the program.

The Administration's FY 2004 proposed ceilings reflect today's realities and call for continued aggressive recovery in the program. The total ceiling proposed is 70,000, which includes 50,000 apportioned among regions and an Unallocated Reserve of 20,000 admissions numbers. We have reasonable expectations of meeting the 50,000 regional numbers because of the groundwork we have established this year and will continue our efforts to identify additional caseloads for possible use of the unallocated numbers to include groups previously mentioned, including Bhutanese in Nepal and Congolese Tutsi in Rwanda. The regional ceilings take into account the challenges of global insecurity, the logistical difficulty of accessing remote locations, and the changing face of refugee populations around the world. Just as we could not predict the disruptions to processing in Africa and the Middle East over the past two years, we cannot be certain of what the future holds. We must, however, ensure that the admissions program is as dynamic as the world environment in which it operates, and we will continue to identify populations and priorities that make achieving the FY 2004 ceiling possible. Wherever possible, we will integrate the many proposals that are made by our Congressional, NGO, and international organization partners on how to adapt to the changing environment.

As in the past, in FY 2004 we will focus on maintaining the United States Government's continuing global leadership on refugee resettlement even in the current difficult environment. We will be maximizing the program's effectiveness and reach by implementing a series of initiatives we hope will build on the efforts of the past year. The primary focus of these action items for the coming fiscal year is the development of a robust pipeline that will provide access to those most in need of resettlement.

- Strengthening UNHCR: We will continue to support UNHCR's expanded referral capacity with ear-marked funding linked to referrals targets;
- Expanding NGO Involvement: We will further increase the opportunities for NGOs to identify and refer refugees to the Admissions program by replicating the Nairobi pilot program in West Africa and possibly elsewhere, with a view towards substantially increasing such referrals;
- Establishing Special Response Teams: We will develop a voluntary agency roster of resettlement specialists available for short-term deployments to be included in a new "Targeted Response Team" concept, to assist in pipeline development, registration or other processing as needed and wherever needed;
- Increasing U.S. Government Resources: We will dedicate additional personnel to refugee admissions efforts, including pipeline development;
- Expanding Family Reunification: We will implement a revised and expanded family reunification category this coming fiscal year that broadens access to the resettlement program to a wider range of nationalities while also addressing identified patterns of fraud;
- Addressing "Long-Stayers": We will identify, in consultation with UNHCR and the advocacy community, conditions that would trigger resettlement as the preferred solution for refugees in intractable situations;
- Protecting Unaccompanied Minors: We will address the needs of unaccompanied refugee children by developing more targeted strategies to improve the identification, protection, and in appropriate cases, resettlement of unaccompanied children; and
- Undertaking a Comprehensive Study of the Program: We are in the process of financing an independent, comprehensive study of the program, drawing on the experiences and ideas of United States government agencies, NGOs, international organizations, and refugees themselves to address our new reality.

In closing, the Administration acknowledges that the program is at a crossroads. Many of the challenges we hoped would be resolved after the extraordinary year following September 11, 2001 have persisted. We share the widespread concern over the gap between ceilings established at the beginning of fiscal years, and the number of refugees actually admitted. As we implement the new initiatives we have outlined above, we will do everything we can to sustain our rich tradition of offering refuge to those who most need it. Today's refugees suffer and need assistance every bit as much as past generations of refugees. We remain committed to doing everything possible to meet the challenges of our day, and establish the foundation for a bright, vigorous future for the refugee admissions program.

TABLE OF CONTENTS

<i>Introduction</i>	<i>i</i>
<i>Foreword</i>	<i>ii</i>
I. Overview of U.S. Refugee Policy	1
II. Refugee Admissions Program for FY 2004	4
A. Proposed Ceilings	4
B. Admissions Procedures	5
1. Eligibility Criteria	5
2. The Worldwide Priority System for FY 2004	6
a) Priority 1	6
b) Priority 2	6
c) Priority 3	7
3. DHS/BCIS Refugee Adjudications	8
a) DHS/BCIS Overseas Operations	8
b) Case Presentation to DHS/BCIS	8
c) The Eligibility Determination	9
d) Additional Case Processing	9
4. Processing Activities of the Department of State	10
a) Overseas Processing Services	10
b) Cultural Orientation	10
c) Transportation	11
d) Reception and Placement	11
III. Regional Programs	12
A. Africa	13
1. Religious Freedom	13
2. Voluntary Repatriation	14
3. Local Integration	14
4. Third-country Resettlement	14
5. FY 2003 U.S. Admissions	15
6. FY 2004 U.S. Resettlement Program	15
7. Possible Future Groups	17
B. East Asia	17
1. Religious Freedom	17
2. Voluntary Repatriation	18
3. Local Integration	18
4. Third-country Resettlement	19
5. FY 2003 U.S. Admissions	19

6.	FY 2004 U.S. Resettlement Program	20
7.	Possible Future Groups	21
C.	Europe and Central Asia	21
1.	Religious Freedom	22
2.	Voluntary Repatriation	23
3.	Local Integration	24
4.	Third country Resettlement	24
5.	FY 2003 U.S. Admissions	25
6.	FY 2004 U.S. Resettlement Program	25
7.	Possible Future Groups	26
D.	Latin America and the Caribbean	26
1.	Religious Freedom	27
2.	Voluntary Repatriation	27
3.	Local Integration	27
4.	Third country Resettlement	28
5.	FY 2003 U.S. Admissions	28
6.	FY 2004 U.S. Resettlement Program	29
7.	Possible Future Groups	29
E.	Near East and South Asia	29
1.	Religious Freedom	30
2.	Voluntary Repatriation	30
3.	Local Integration	30
4.	Third-country Resettlement	31
5.	FY 2003 U.S. Admissions	31
6.	FY 2004 U.S. Resettlement Program	32
7.	Possible Future Groups	32
F.	Unallocated Reserve	32
IV.	Domestic Impact of Refugee Admissions	33

LIST OF TABLES

	<i>Page</i>
I. Refugee Admissions in FY 2002 and FY 2003, FY 2004 Proposed Ceilings	4
II. Median Age and Sex of Refugee Arrivals, FY 2002	34
III. Select Age Categories of Refugee Arrivals, FY 2002	35
IV. Refugee Arrivals by State of Initial Resettlement, FY 2002	36
V. Refugee Arrivals by Country of Origin, FY 2002	38
VI. Estimated Costs of Refugee Processing, Movement, and Resettlement FY 2003 and FY 2004 Estimates	40
VII. UNHCR Resettlement Statistics by Resettlement Country, CY 2002	41

I. OVERVIEW OF U.S. REFUGEE POLICY

Resettlement in third countries, including the United States, is considered for refugees in urgent need of protection as well as for those for whom other durable solutions are not feasible. In seeking durable solutions for refugees, the United States generally gives priority to the safe voluntary return of refugees to their homelands. This policy, recognized in the Refugee Act of 1980, is also the preference of the international community, including the Office of the United Nations High Commissioner for Refugees (UNHCR). If safe voluntary repatriation is not feasible, other durable solutions are sought, including local integration in countries of asylum or resettlement in third countries. For many refugees, resettlement is the best, or perhaps the only, alternative. Recognizing the importance of ensuring UNHCR's capacity to identify and refer refugees in need of resettlement, the U.S. government has provided several million dollars to expand the organization's infrastructure.

According to UNHCR, as of January 1, 2003 there were some 10.5 million refugees in the world. Under the authority in the Migration and Refugee Assistance Act of 1962, as amended, the United States contributes to the programs of UNHCR, the International Committee of the Red Cross (ICRC), the International Organization for Migration (IOM), and other international and non-governmental organizations that provide relief and assistance to refugees. During FY 2003, the United States has supported major relief and repatriation programs throughout the world. Our assistance is targeted to address immediate protection needs of refugees as well as to ensure that basic needs for water, sanitation, food, health care, shelter and education are met. The United States continues to press for the most effective use of international resources directed to the urgent needs of refugees and internally displaced persons.

For many years, the United States was one of ten countries that worked with UNHCR on a regular basis to provide resettlement opportunities for persons in need of this form of international protection or durable solution. The other traditional resettlement countries are Canada, Australia, New Zealand, and six countries in Western Europe (Sweden, Norway, Denmark, Finland, the Netherlands, and Switzerland). The dramatic increase in asylum seekers arriving in many of these countries, particularly via alien smuggling operations, has diminished the willingness of some countries to accept refugees through UNHCR referrals. At the same time, considerable effort has been expended in recent years to bring other countries into the resettlement "community." At present, some 18 countries (including Great Britain, Brazil, Chile, Spain, Ireland, Iceland, Benin and Burkina Faso) express willingness to work with UNHCR in resettlement of refugees in need.

While the overall number of refugees referred by UNHCR and the percentage resettled by various countries fluctuate from year to year, the United States is committed to providing an opportunity for U.S. resettlement to at least 50% of all UNHCR referrals. In spite of the disruptions in the program caused by the terrorist attacks of September 11, in calendar year 2002 the United States resettled 40% of all UNHCR-referred refugees resettled in third countries (see Table VII).

Based on U.S. law, the United States considers for admission as refugees persons of special humanitarian concern who can establish persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. The legal basis of the refugee admissions program is the Refugee Act of 1980. With some modification, the Act largely adopted the definition of "refugee" in the 1951 United Nations Convention relating to the Status of Refugees, as amended by its 1967 Protocol. The U.S. definition (Section 101(a)(42) of the Immigration and Nationality Act (INA), as amended) is as follows:

“The term ‘refugee’ means: (A) any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or (B) in such circumstances as the President after appropriate consultation (as defined in section 207 (e) of this Act) may specify, any person who is within the country of such person's nationality or, in the case of a person having no nationality, within the country in which such person is habitually residing, and who is persecuted or who has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The term ‘refugee’ does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

For purposes of determinations under this Act, a person who has been forced to abort a pregnancy or to undergo involuntary sterilization, or who has been persecuted for failure or refusal to undergo such a procedure or for other resistance to a coercive population control program, shall be deemed to have been persecuted on account of political opinion, and a person who has a well-founded fear that he or she will be forced to undergo such a procedure or be subject to persecution for such failure, refusal or resistance shall be deemed to have a well-founded fear of persecution on account of political opinion.”

The foreign policy interests of the U.S. have been advanced by our willingness to work with first asylum and resettlement countries to address refugee issues. In some locations, the prompt resettlement of politically sensitive cases has helped defuse regional tensions. During the past few years, U.S. resettlement efforts in the Middle East, the Balkans and

Africa have helped energize efforts by UNHCR and other countries to ensure that this form of protection is accorded those in need and that first asylum is maintained for the larger population.

With regard to refugees resettled in the United States, emphasis is placed on achieving economic self-sufficiency as quickly as possible and contributing to the diversity and enrichment of our country. Federally funded programs administered by individual states and the District of Columbia provide cash and medical assistance, training programs, employment and other support services to arriving refugees. A variety of institutional providers perform these services, including the voluntary agencies that provide initial reception and placement services under cooperative agreements with the Department of State.

Even before the events of September 11, the end of the Cold War had changed dramatically the context in which the U.S. refugee admissions program operates worldwide. Having shifted its focus away from large groups concentrated in a few locations, primarily refugees from Vietnam, the Former Soviet Union and Bosnia, the program now offers resettlement to refugees of some 70 nationalities scattered around the world, often in remote locations. While we believe this diversified approach is consistent with the Refugee Act's intent that persons most in need of resettlement should benefit from the program, overseas processing efforts face numerous challenges. Deteriorating security conditions for American personnel in refugee camps, the inadequacy of medical facilities required to conduct thorough medical screenings, and concern about program integrity, including fraud and corruption, are but some of the issues facing the responsible federal agencies.

We have continued to address the issue of inadequate medical screening in numerous processing sites and enhanced the physical security arrangements at many others. In Kenya and Ivory Coast we have undertaken the wholesale transfer of populations from insecure processing locations to sites with enhanced security where resettlement processing and DHS/BCIS adjudication can take place.

While taking these necessary steps to reestablish the program on a stronger footing, we have also pursued every opportunity to extend the program's accessibility to those in greatest need. We have sought to identify refugees, either individually or in groups, for whom resettlement would be appropriate. For example, we have renewed efforts to interview the Somali Bantu in Kenya and vulnerable Liberians in Ivory Coast. In coordination with UNHCR and IOM, we have arranged for the processing of vulnerable Colombian refugees in Central and South America and plan to commence interviews of Meskhetian Turks in Russia in the coming fiscal year.

The Department of State's Bureau of Population, Refugees and Migration (PRM) has worked closely with law enforcement and intelligence agencies and devoted extensive personnel resources to the task of accelerating the flow of completed security clearances to the field. DHS/BCIS has provided the leadership within the U.S. Government to address aggressively the problems identified in the family reunification program. The

integration of the U.S. Government's immigration functions into the new Department of Homeland Security became effective March 1, 2003. This historic governmental reorganization has been undertaken with a commitment to maintaining a responsive and responsible refugee program in partnership with all resettlement partners from both the public and private sectors.

Domestically, PRM has worked with the resettlement agencies to fully implement comprehensive standards of care for the Reception and Placement (R&P) program and increased funding to assist local affiliates providing improved services to refugees. Far fewer arriving refugees now have close family members living in the United States who are available to provide support and facilitate the integration process. When combined with the significant linguistic diversity, wide-ranging educational/employment histories of the refugee population and the persistent shortage of available affordable housing particularly in urban areas, resettlement agencies have had to adapt in order to meet the increasing demands of the program. Given the hiatus in refugee arrivals at the beginning of FY 2002 and the slow rate of admissions throughout the first half of 2003, the Department of State suspended the traditional per capita funding arrangement for domestic resettlement agencies. Cost-based funding was provided to ensure that nationwide resettlement capacity was maintained during 2002 and 2003.

II. REFUGEE ADMISSIONS PROGRAM FOR FY 2004

A. Proposed Ceilings

TABLE I

**REFUGEE ADMISSIONS IN FY 2002 AND FY 2003
PROPOSED CEILINGS IN FY 2004**

REGION	FY 2002 ACTUAL	FY 2003 CEILING	FY 2003 PROJECTED	PROPOSED FY 2004 CEILING
Africa	2,536	20,000	9,800	25,000
East Asia*	3,489	4,000	1,900	6,500
Europe and Central Asia	15,395	16,500	11,500	13,000
Latin America/Caribbean	1,936	2,500	450	3,500
Near East/South Asia	3,673	7,000	4,350	2,000
Unallocated Reserve**		20,000		20,000
Total	27,029	70,000	28,000	70,000

- * This figure includes Amerasians and their family members who enter as immigrants under a special statutory provision but receive the same benefits as refugees.
- ** The Unallocated Reserve is to be used if/where the need for additional numbers develops and only upon notification to the Congress.

In addition to the proposed ceiling, the President proposes to specify that special circumstances exist so that, for the purpose of admission under the limits established above and pursuant to section 101(a)(42)(B) of the INA, certain persons, if they otherwise qualify for admission, may be considered as refugees of special humanitarian concern to the United States although they are within their countries of nationality or habitual residence. Proposed for such in-country processing for FY 2004 are persons in Cuba, Vietnam, and the countries of the Former Soviet Union.

The DHS/BCIS will also be authorized to adjust to the status of lawful permanent resident 10,000 persons who have been granted asylum and have been in the United States for at least one year, pursuant to Section 209(b) of the INA. We note that the 10,000-person limitation on the number of asylees who can adjust their status has resulted in a backlog of adjustment of status applications some 12-13 years long. It is estimated that approximately 23,000 individuals will be granted asylum during FY 2003 and that these asylees will not be eligible to apply for U.S. citizenship until at least 2021 if the cap remains at 10,000 adjustments per year.

B. Admissions Procedures

1. Eligibility Criteria

Applicants for refugee admission to the United States must meet the following criteria:

- Meet the definition of “refugee” contained in the U.S. Immigration and Nationality Act;
- Be among those refugees determined by the President to be of special humanitarian concern to the United States;
- Be otherwise admissible under United States law; and
- Not be firmly resettled in any foreign country.

Although a refugee may meet the above criteria, the existence of the U.S. refugee admissions program does not create any entitlement for that person to be admitted to the United States and provides the United States with discretion. The admissions program is the legal mechanism for admitting refugees who are among those classes of persons of particular interest to the United States. Currently, applicants who fall within the priorities established for the relevant nationality or region are presented to the DHS/BCIS for

determination of eligibility for admission under Sections 101(a)(42) and 207 of the INA.

2. Worldwide Priority System for FY-2004

The current worldwide processing priority system sets guidelines for the orderly management and processing of refugee applications for admission to the United States within the established annual regional ceilings. The issue of whether a person is a “refugee” under U.S. law and the priority that person may be assigned for consideration of his/her case are separate and distinct. Just as qualifying for refugee status does not confer a right to resettlement in the United States, assignment to a particular priority does not entitle a person to admission to the United States as a refugee.

a) Priority 1

Priority 1 (P-1) is reserved for compelling protection cases or refugees for whom no other durable solution exists who are referred to the program by UNHCR or a U.S. Embassy. Priority 1 is available to persons of any nationality. The U.S. historically resettles approximately 50% of all of UNHCR’s resettlement referrals worldwide. Groups of individuals who share a common background and history and can be identified by name can also be referred to the U.S. program on a Priority 1 list based on UNHCR registration information.

b) Priority 2

Priority 2 (P-2) is used for groups of special humanitarian concern to the United States designated for resettlement processing. It includes specific groups (within certain nationalities, clans or ethnic groups) identified by the Department of State in consultation with DHS/BCIS, non-governmental organizations (NGOs), UNHCR, and other experts. Some P-2 groups are processed in their country of origin.

- ***P-2 In-country processing programs:***

Former Soviet Union

This P-2 designation applies to Jews, Evangelical Christians, and Ukrainian Catholic and Orthodox religious activists identified in the Lautenberg Amendment with close family in the United States.

Cuba

Included in this P-2 program are former political prisoners, members of persecuted religious minorities, human rights activists, forced-labor conscripts, persons deprived of their

professional credentials or subjected to other disproportionately harsh or discriminatory treatment resulting from their perceived or actual political or religious beliefs or activities, and others who appear to have a credible claim that they will face persecution. (*Note: A review of eligibility criteria for the Cuba program has been initiated and may result in adjustments during FY 2004.*)

Vietnam

This P-2 designation covers the residual caseload from the former Orderly Departure Program (ODP), Resettlement Opportunity for Vietnamese Returnees (ROVR), and McCain amendment programs. It also includes Amerasian immigrants, whose numbers are counted in the refugee ceiling.

- ***P-2 Groups of Humanitarian Concern outside the country of origin:***

The admissions program is now also processing several additional P-2 groups outside their country of origin and continues to develop new P-2 designations. Those currently being processed include:

- Somali Bantus in Kenya
- Baku Armenians in Russia
- Iranian religious minorities, primarily in Austria

Among groups under active consideration for group designation in FY 2004 are Meskhetian Turks in Russia, Bhutanese in Nepal, Vietnamese in the Philippines, and certain Liberians in West Africa.

c) Priority 3

In FY 2004, eligibility for a refugee interview is extended to nationals of the following countries who are the spouses, unmarried children under 21 or parents of persons admitted to the United States as refugees or granted asylum, or persons who are lawful permanent residents or U.S. citizens and were initially admitted to the United States as refugees or granted asylum:

Burma
Burundi
Colombia
Congo (Brazzaville)
Democratic Republic of the Congo

Iran
Liberia
Somalia
Sudan

Eligibility will be established on the basis of an Affidavit of Relationship filed by the relative in the United States and processed through the DHS/BCIS. All applicants must be located outside their countries of nationality or habitual residence.

Given the undetermined impact on processing resources, this initiative will function on a pilot basis in FY 2004.

3. DHS/BCIS Refugee Adjudications

Section 207 of the INA grants the Secretary of the Department of Homeland Security (DHS) authority to admit, at his discretion, any refugee who is not firmly resettled in a third country, who is determined to be of special humanitarian concern, and who is admissible to the United States as an immigrant. This authority has been delegated to the Bureau of Citizenship and Immigration Service (BCIS). In overseas refugee processing, the BCIS has the statutory role of adjudicator, determining who meets the requirements for refugee status and is otherwise admissible under U.S. law.

a) DHS/BCIS Overseas Operations

The majority of refugee adjudications are conducted by temporary duty personnel from domestic asylum offices, with additional personnel drawn from a cadre of other officers who have received specialized refugee training. DHS/BCIS overseas offices also provide personnel to conduct refugee determinations. Circuit rides to process refugees are coordinated by the DHS/BCIS overseas offices with geographic jurisdiction, in conjunction with BCIS Headquarters. DHS/BCIS relies upon Department of State Regional Security Officers overseas to assess the security environment at proposed circuit ride locations prior to committing to circuit ride travel.

b) Case Presentation to DHS/BCIS

Refugee processing procedures prior to BCIS eligibility interviews vary. Some applicants are referred to the U.S. program by officials of U.S. Embassies or UNHCR (P-1 referrals). Other applicants are eligible to apply for the program directly. These include persons or groups identified under processing priorities as eligible for resettlement consideration (P-2 and P-3 categories). Generally, the Department of State arranges for an Overseas Processing Entity (OPE) to conduct pre-screening interviews and

prepare cases for submission to DHS/BCIS. This involves completing the required forms and compiling other necessary documents.

c) The Eligibility Determination

In order to be approved as a refugee, an applicant must establish that he or she has suffered past persecution or has a well-founded fear of future persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. A BCIS officer conducts a face-to-face interview of each applicant. The interview is non-adversarial and is designed to elicit information about the applicant's claim for refugee status. The officer asks questions about the reasons for the applicant's departure from the country of origin and problems or fears the applicant may have had or will have if returned to his/her home country. In the in-country processing programs, the officer's questions focus on problems the applicant has had or fears having if he or she remains in his/her home country. Conditions in the country of origin are taken into consideration, and the applicant's credibility and claim are assessed.

BCIS refugee determinations are made according to a uniformly applied worldwide standard, but legislation has altered the refugee adjudication process in certain cases. The Lautenberg Amendment, enacted in 1989 and subsequently extended through the present, mandates that the Attorney General identify categories of former Soviets (specifically Jews, Evangelical Christians, Ukrainian Catholics, and Ukrainian Orthodox), Vietnamese, Lao, and Khmer who have been likely targets of persecution and reduces the burden of proof in establishing a well-founded fear of persecution for members of these categories. The Attorney General's authority has been transferred to the Secretary of Homeland Security.

Under U.S. law, a person who has ordered, incited, assisted or otherwise participated in persecution on account of race, religion, nationality, membership in a particular social group, or political opinion is not a refugee. Refugees may be ineligible for admission to the United States on criminal or security grounds.

d) Additional Case Processing

Prior to an approved refugee applicant's admission to the United States, he/she must undergo a medical examination, be fingerprinted, clear a security name check, and receive a sponsorship assurance. Transportation arrangements are made through IOM. Arriving refugees, if not fingerprinted prior to travel, are printed at the port of entry. Refugees are authorized employment upon admission. After one year, a refugee is eligible to apply for adjustment of status to lawful permanent resident.

Five years after admission, a refugee who has been granted lawful permanent resident status is eligible to apply for citizenship.

4. Processing Activities of the Department of State

a) Overseas Processing Services

In most processing locations, PRM in the Department of State engages either an NGO or IOM to manage an Overseas Processing Entity (OPE) to assist in the processing of refugees for admission to the United States. In a few locations where such arrangements are not feasible or are unwarranted due to insufficient volume, PRM arranges for contract staff in U.S. Embassies to perform this function. All of the OPEs pre-screen applicants to determine if they qualify for one of the applicable processing priorities. They assist applicants with completing documentary requirements and schedule DHS/BCIS refugee interviews as appropriate. If an applicant is approved for resettlement, OPE staff guide the refugee through post-adjudication steps, including obtaining medical screening exams and attending cultural orientation programs. The OPE obtains sponsorship assurances, and, once appropriate security clearances are obtained, refers the case to IOM for transportation to the United States.

In FY 2003, NGOs worked under OPE contracts with PRM at locations in Pakistan, Turkey (covering locations throughout the Middle East), Austria, Kenya (covering East Africa), and Ghana (covering West Africa). IOM supports refugee processing activities in Egypt, the Former Yugoslavia, Russia, and Syria and is assisting in the establishment of a processing capacity for Colombians in the Western Hemisphere. U.S. government contractors provide processing services in Cuba, India, Jordan, Thailand and Vietnam. Given rapidly changing world events affecting refugee resettlement operations, additions and deletions to this list are likely in FY 2004.

b) Cultural Orientation

The Department of State strives to ensure that refugees who are accepted for admission to the United States are prepared for the significant life changes they will experience through resettlement by providing cultural orientation programs prior to departure for the United States. It is critical that refugees arrive with a realistic view of what their new lives will be like, what services are available to them, and what their responsibilities will be. Every refugee family receives *Welcome to the United States*, a resettlement guidebook written in 1996 with input from refugee resettlement workers and resettled refugees in conjunction with federal and state government officials. *Welcome to the United States* is produced in eight languages: English, French, Spanish, Russian, Serbo-Croatian,

Arabic, Somali and Vietnamese. Through this book, refugees have access to a basic core of consistent and accurate information about initial resettlement before they arrive. The material in *Welcome to the United States* is also provided in some locations in video format. In addition, the Department of State enters into cooperative agreements for one- to three-day pre-departure orientation classes for eligible refugees at sites throughout the world.

c) Transportation

The Department of State makes available funds for the transportation of refugees resettled in the United States through a program administered by IOM. The cost of transportation is provided to refugees in the form of a loan. Beneficiaries are responsible for repaying these costs over time, beginning six months after their arrival.

d) Reception and Placement (R&P)

PRM maintains cooperative agreements with ten organizations, including nine private voluntary agencies and one state government agency, to provide initial resettlement services to arriving refugees. The R&P agencies agree to provide initial reception and core services (including housing, furnishings, clothing, food, and medical referrals) to arriving refugees. These services are now provided according to standards of care developed jointly by the NGO community and U.S. government agencies in FY 2001, and implemented in FY 2002. The ten organizations maintain a nationwide network of over 400 affiliated offices to provide services. This network was severely tested by the decline in arrivals following September 11. As a result, PRM altered its funding during FY 2002 and 2003 to permit reimbursement of some administrative costs incurred by local affiliates. The program will return to funding on a per capita basis in FY 2004.

The R&P agreement obligates the participating agencies to provide the following services, using R&P funds supplemented by cash and in-kind contributions from private and other sources:

- Sponsorship;
- Pre-arrival resettlement planning, including placement;
- Reception on arrival;
- Basic needs support (including housing, furnishings, food, clothing) for at least 30 days;
- Community orientation;
- Referrals to health, employment, and other services as needed; and
- Case management and tracking for 90-180 days, depending upon availability of anchor relatives.

III. REGIONAL PROGRAMS

AFRICA

<i>Approved pipeline from FY 2003</i>	<i>5,000</i>
<i>P-1 Referrals from UNHCR</i>	<i>7,000</i>
<i>P-2 Somali-Bantus in Kakuma (Kenya)</i>	<i>10,000</i>
<i>P-3 Family Reunification Cases</i>	<i>3,000</i>
<u>Total Proposed:</u>	<u>25,000</u>

EAST ASIA

<i>Approved pipeline from FY 2003</i>	<i>500</i>
<i>First Asylum P-1 Referrals</i>	<i>2,400</i>
<i>P-2 In-country Program, Vietnam</i>	<i>3,100</i>
<i>Other</i>	<i>500</i>
<u>Total Proposed:</u>	<u>6,500</u>

EUROPE & CENTRAL ASIA

<i>Approved pipeline from FY 2003</i>	<i>5,000</i>
<i>P-1 Referrals from UNHCR</i>	<i>400</i>
<i>In-country Lautenberg Program</i>	<i>2,600</i>
<i>P-2 Meskhetian Turks</i>	<i>5,000</i>
<u>Total Proposed:</u>	<u>13,000</u>

LATIN AMERICA

<i>Approved pipeline from FY 2003</i>	<i>1,500</i>
<i>P-1 Referrals</i>	<i>1,000</i>
<i>P-2 In-country Program</i>	<i>1,000</i>
<u>Total Proposed:</u>	<u>3,500</u>

NEAR EAST & SOUTH ASIA

<i>Approved pipeline from FY 2003</i>	<i>600</i>
<i>P-1 Referrals from UNHCR</i>	<i>800</i>
<i>P-2 Iranian Religious Minorities</i>	<i>600</i>
<u>Total Proposed:</u>	<u>2,000</u>

<u>UNALLOCATED RESERVE</u>	<u>20,000</u>
-----------------------------------	----------------------

<u>TOTAL PROPOSED CEILING</u>	<u>70,000</u>
--------------------------------------	----------------------

In the following regional program overviews, a description of refugee conditions in each region is provided. In addition, prospects for voluntary repatriation, resettlement within the region, and third-country resettlement are discussed.

A. AFRICA

In 2003, conditions affecting refugees across the continent of Africa continued to be dynamic. While peace took hold in Angola and Sierra Leone, with tens of thousands of refugees able to return to their homes, a violent uprising in previously stable Ivory Coast and increasing unrest in Liberia caused new disruptions and refugee flows. There are approximately 3.5 million refugees across the African continent, 25% of the worldwide refugee population. The principle of first asylum is still honored by most African countries, though in a number of cases the newest arrivals have found it difficult to cross into neighboring countries and receive protection and assistance without threat of forcible return (refoulement). Traditionally, refugees in Africa have been allowed to remain – and in most cases to integrate locally – until voluntary repatriation is possible. This tradition of tolerance has begun to show signs of deterioration, however, particularly where there have been successive waves of refugees and a concurrent degradation in the welfare of the host populations.

During the five years prior to FY 2002, admissions of African refugees to the United States had increased dramatically, from 6,069 in FY 1997 to 19,021 in FY 2001. While the United States remains committed to resettlement as one of the durable solutions for African refugees, the numbers of refugees admitted to the United States during FY 2002 and FY 2003 have fallen far short of authorized ceilings. Regional instability, the additional security requirements instituted as a result of September 11, 2001, and the closeout of a significant number of fraudulent family reunification cases have combined to depress African arrivals. To ensure the future of the program, we are currently supporting efforts to identify populations in need of resettlement with input from all key players in the resettlement process.

1. Religious Freedom

In sub-Saharan Africa, people are generally free to practice their chosen religion. Religious tolerance is a generally accepted and widely practiced principle, even in the midst of ethnic and other conflicts. Ethiopia, with its historic Muslim and Christian populations, is an excellent example of religious tolerance. In some places, however, there has been persecution of Jehovah's Witnesses, related primarily to a government's desire to force compliance with state policies that Jehovah's Witnesses deem contrary to their faith. There are also places where communal violence has been generated by religious differences, for example in Nigeria. In both northern Nigeria and Sudan where Islamic sharia law has been imposed, non-Muslims have been adversely affected. In Sudan, a country with a record of human rights abuses, there have been some instances of forced conversions to Islam as a condition of receiving humanitarian assistance. The

U.S. admissions program continues to be available to Sudanese and other refugees who are victims of the religious intolerance.

2. Voluntary Repatriation

Despite the large number of protracted refugee situations throughout Africa, voluntary repatriation to a secure environment remains the most common and the most desirable durable solution. The peace processes in Angola and Sierra Leone for example, have made large-scale voluntary return possible. By mid-2003, over 100,000 Angolan refugees had voluntarily returned. The combination of growing security in Sierra Leone and insecurity in Liberia, where many had sought refuge, led some 200,000 Sierra Leonean refugees to return as of mid-2003. While Burundi is not yet at peace, in response to pressure from the Tanzanian government, UNHCR is facilitating the voluntary repatriation of some refugees to secure areas in Burundi. As countries seek to recover from devastating warfare, reintegration aid will be necessary to ensure that the voluntary return is indeed a lasting solution.

Other conflicts have yet to find resolution, though hopes for Sudan were relatively high as of mid-2003. Continued insecurity in portions of Somalia means that there will likely be protracted refugee situations in Kenya and Ethiopia. Xenophobic attacks in the Ivory Coast forced Liberian refugees to flee into Guinea and Ghana and sent some back to Liberia. Simultaneously, escalation of the Liberian conflict triggered fresh waves of refugees into the Ivory Coast, Guinea and Sierra Leone. Both peace and refugee repatriation continue to elude the Democratic Republic of the Congo (DROC).

3. Local Integration

While formal offers of permanent local integration have rarely been forthcoming from African countries, the provision of first asylum has been an historic constant. Indefinite first asylum without threat of refoulement has sometimes reached the level of de facto local integration in places such as Zambia, Uganda, and Sudan. Such local integration can be fragile, however, as the recent xenophobia targeting Liberian refugees in the Ivory Coast demonstrates. Initial efforts in Burkina Faso, Benin, and South Africa toward the formal, permanent integration of small numbers of African refugees have not progressed far enough to offer real prospects for expansion.

4. Third-country Resettlement

Resettlement in third countries outside the region is an essential durable solution for some African refugees. The possibility of third-country resettlement can play an important protection role, given the political and economic volatility in many areas of Africa. With limited opportunities for complete, permanent integration in neighboring countries and often-protracted periods in refugee camps before

voluntary repatriation becomes an option, the need for third-country resettlement of African refugees will continue. All resettlement countries, in particular the United States, Canada and Australia, accept resettlement referrals from Africa, but the U.S. program receives the majority of them.

While the United States is the leading country in providing resettlement places for African refugees, many Africans generally thought of as refugees do not meet the refugee definition found in U.S. law. Many populations have been granted refugee status “en masse,” often under the Organization for African Unity (OAU) Convention, which utilizes different criteria than U.S. law. As a result, members of these groups may not qualify for refugee admission to the United States.

5. FY 2003 Admissions

We anticipate some 9,800 arrivals from Africa in FY 2003. Five countries (Sudan, Somalia, Ethiopia, Liberia, and Sierra Leone) continue to account for the majority of refugees resettled from Africa.

The Africa program has been particularly affected by enhanced security procedures imposed in the aftermath of September 11 and deteriorating security conditions in various processing locations. Security name checks by intelligence and law enforcement agencies and/or the DHS/BCIS review of all family relationship cases affect the majority of cases processed in Africa. While PRM, DHS/BCIS and other agencies have worked diligently to implement the new requirements, these procedures have caused significant processing delays. The relationship misrepresentations identified by DHS/BCIS in its ongoing review of the P-3 caseload have resulted in the closure of many cases. Additionally, the halt in processing of the Somali Bantu in Kakuma camp due to security threats against U.S. personnel has delayed the processing of this large group of 12,000 refugees, many of whom had been expected to arrive this year. While arrivals continued to lag in the first half of the fiscal year as these issues were being addressed, there has been a rebound recently in African admissions.

6. FY 2004 U.S. Resettlement Program

The proposed Africa ceiling of 25,000 for FY 2004 is intended to respond to the resettlement needs of certain groups of African refugees. At the same time, we are addressing the security and fraud issues cited above and realistically approaching the logistical and political realities of refugee processing in an often-difficult working environment. PRM has actively engaged all appropriate offices within the Department of State, the voluntary agency community, UNHCR, and DHS/BCIS to help identify groups appropriate for resettlement that would likely qualify under U.S. law. As a result of these discussions, PRM has identified a number of groups for priority processing during FY 2004. (Note that the number of refugees associated with each group is approximate and represents our most optimistic projections for each.) The effort to identify those in need of rapid

resettlement and to streamline referrals by creating group designations where appropriate will continue.

Proposed FY 2004 Africa program:

<i>Approved pipeline from FY 2003</i>	<i>5,000</i>
<i>P-1 Referrals from UNHCR</i>	<i>7,000</i>
<i>P-2 Somali-Bantus in Kakuma (Kenya)</i>	<i>10,000</i>
<i>P-3 Family Reunification Cases</i>	<i>3,000</i>
<u><i>Total Proposed Ceiling:</i></u>	<u><i>25,000</i></u>

The estimate for arrivals in FY 2004 from the FY 2003 pipeline includes P-1, P-2 and P-3 cases approved during FY 2003.

P-1 Individual Referrals from UNHCR

PRM has worked closely with UNHCR to strengthen its resettlement referral capacity in Africa and to insert appropriate safeguards into its referral mechanisms to prevent the recurrence of significant fraud and corruption. To this end, UNHCR has opened a new regional resettlement hub in Accra and adapted standard operating procedures for identifying cases and developing referrals. PRM and UNHCR have launched a new resettlement initiative through which PRM is funding nine resettlement positions in six African countries including Ghana, Guinea, Kenya, Egypt, Ethiopia and Tanzania. The addition of resettlement-focused resources will facilitate the identification and referral of individual refugees (and possibly groups) for whom resettlement is the most appropriate durable solution.

Somali Bantu

In FY 2003, the first group of Somali Bantus arrived in the United States. In FY 2004, we hope to admit the remainder of the approved Somali Bantu refugees from Kenya. Responding to security concerns that halted processing in Kakuma camp, we worked to improve the infrastructure in the camp and hire additional security staff in the summer of 2003.

Liberians in Ivory Coast

Late in FY 2003, security conditions in Abidjan, Ivory Coast improved sufficiently to allow the resumption of processing of a sizeable population of vulnerable Liberian refugees. A total of some 6,000 UNHCR referrals of this multiply displaced group are anticipated. It is hoped that the first arrivals in the

United States will occur before the end of the current fiscal year but most admissions are expected in FY 2004.

7. Possible Future Groups/Programs

PRM has actively engaged appropriate offices within the Department of State, the voluntary agency community, UNHCR, and DHS/BCIS to help identify groups in need of resettlement who would likely qualify under U.S. law. In conjunction with these discussions, PRM supported two independent trips, one in East Africa and one in West Africa, to identify potential P-2 groups. While several populations were identified, the absence of reliable individual registration information on refugee populations hinders our efforts to define the composition of these groups. We are working with UNHCR and the NGO community to redress this inadequacy, which should lead to greater access to the program by some large populations in West Africa later in 2004. A reliable and consistent registration program would not only expedite referral and processing of resettlement candidates for the United States, but would also improve international relief and assistance efforts and address some of the issues of identity fraud of concern to all organizations involved in providing services.

B. EAST ASIA

Thailand is host to the largest population of refugees in East Asia, comprised primarily of some 130,000 members of Burmese ethnic minorities in encampments along the border. The other large population of refugees in the region is located in Bangladesh. Over 21,000 Burmese Rohingyas remain in Bangladesh after the repatriation of over 200,000 of this group. In spite of ongoing repatriation efforts, the Rohingyas remaining in Bangladesh appear to have limited prospects of voluntary repatriation or local integration and could become candidates for third country resettlement. There are some 30,000 East Timorese remaining in Indonesia. Formerly considered refugees under UNHCR's mandate, UNHCR invoked its cessation clause for this group in late 2002. Recent turmoil in Aceh province in Indonesia has prompted the flight of many Achenese to neighboring Malaysia.

During 2001, about 1,100 Montagnard refugees fled from Vietnam to Cambodia, fearing reprisals by the Vietnamese Government for their involvement in demonstrations in the Central Highlands over land-use and religious freedom issues in early February 2001. In early 2002, some 150 of these asylum seekers voluntarily returned to Vietnam. The remaining 905 were processed for refugee status and resettled in the United States between June 2002 and March 2003.

1. Religious Freedom

While many governments in East Asia permit freedom of worship, religious believers face serious persecution in some countries. North Korea allows no

religious freedom, and all organized religious activity except that which serves the interests of the state is suppressed.

The situation in other countries such as China, Vietnam and Laos is mixed. The Chinese and Vietnamese constitutions provide for freedom of worship; however, both governments restrict activities of religious organizations that do not submit to state control. Most independent religious activities are either prohibited or severely restricted. Despite dramatic increases in religious observance in China, the government continues to suppress those religions it cannot directly control, most notably the (underground) Catholic Church loyal to the Vatican, Protestant "house churches," some Muslim groups, Buddhists loyal to the Dalai Lama, and the Falun Gong spiritual movement. There are many cases of arrest, imprisonment, and torture of religious believers in China. In Vietnam, independent Buddhists and Catholics face restrictions on their freedom of worship. Many Vietnamese Protestants, especially ethnic minorities in the Central Highlands and Northwest provinces, continue to suffer arrest, imprisonment, closing of their churches, and efforts to force renunciations of their faith. The situation for some religious groups in Laos is similar to that in Vietnam; Protestants in particular suffer periodic arrest and imprisonment. In Burma, the government represses most non-Buddhist religions, though there are recent indications that the regime is taking steps to be more tolerant of other religions.

The U.S. admissions program processes refugee cases referred by UNHCR and U.S. embassies whose claims are based on persecution due to religious beliefs. We have worked closely with UNHCR to strengthen this referral process.

2. Voluntary Repatriation

Although 5,000 of the 21,000 Burmese Rohingyas remaining in Bangladesh have been cleared for return by the Burmese authorities, the pace of repatriations remains very slow. There are some 30,000 East Timorese remaining in West Timor from the estimated 250,000 who fled or were forced there in 1999. In December 2002, UNHCR determined that East Timorese were generally no longer eligible for refugee status and invoked the cessation clause.

3. Local Integration

Countries in the region continue to be reluctant to integrate refugees or even to grant temporary asylum, although many countries have hosted refugees for decades. The Thai government officially labels Burmese asylum seekers "displaced persons" who are now officially permitted to enter Thailand only if they are fleeing actual fighting.

4. Third-country Resettlement

The United States and other resettlement countries, including Australia, Canada, New Zealand, and the Nordic countries, continue to process refugee cases from East Asia referred by UNHCR. In FY 2003, the United States processed UNHCR-referred refugee cases in Thailand, Cambodia, Indonesia, China, and Malaysia.

In addition to admissions from first asylum countries, as described above, the United States administers an in-country refugee admissions program in Vietnam. With the closure in 1999 of the Orderly Departure Program (ODP) office in Bangkok, Thailand, the Vietnamese in-country program has been managed by the Refugee Resettlement Section (RRS) at the U.S. Consulate General in Ho Chi Minh City (HCMC), Vietnam. Only a small number of residual ODP refugee applicants remain to be processed.

In 1997, the United States and Vietnam agreed on a process and a set of procedures for implementing the Resettlement Opportunity for Vietnamese Returnees (ROVR) program for persons returning from first asylum camps in the region, which all closed officially that year. Only 42 of the nearly 21,000 individuals who applied under the ROVR program remain to be cleared by the Vietnamese government for interview. This is a slight increase over last year as several cases previously closed were reactivated after applicants reinitiated contact with the RRS. Many of the individuals awaiting interview clearance are family members who were added on to the case after the ROVR principal applicants had received interview clearance.

The Vietnamese Amerasian immigrant program is also a part of the U.S. Government's East Asian refugee admissions program since by law Amerasians are accorded refugee benefits.

5. FY 2003 Admissions

We expect to admit some 1,900 refugees from East Asia in FY 2003. In addition to the processing of residual ODP and ROVR cases, the RRS had responsibility for processing some residual cases of former U.S. government employees (U11). Eligibility for this program was limited to those Vietnamese who were direct-hire employees of the U.S. government for a minimum of five years prior to 1975. The resumption of processing of the U11 caseload, which was suspended in 1996, was authorized in 1999. In 2000, officers of the Department of State and DHS/BCIS reviewed the files of all 2,282 applicants in this caseload and 946 applicants were determined eligible for refugee interviews. DHS/BCIS interviewed these cases in April and May 2002. The majority of the applicants approved for U.S. resettlement and their accompanying family members arrived in the United States before the end of calendar year 2002.

As we complete the processing of the small number of residual ODP and ROVR cases, we have restructured the refugee program in Vietnam with the goal of providing refugee resettlement opportunities to those individuals who have recently experienced persecution or threats of persecution. Amerasian cases continue to be processed at the American Consulate General in Ho Chi Minh City.

Since the early 1990's the United States has participated in a UNHCR-led, multinational effort to resettle a discrete group of Burmese students and dissidents in Thailand who resided at the Maneeloi Student Center in Ratchaburi province until the center was closed by Thai authorities in December 2001. The remaining 400 students were transferred to Tham Hin camp near the Thai border. The U.S. continues to process Burmese students referred by UNHCR and expects to admit some 200 Burmese in FY 2003.

6. FY 2004 U.S. Resettlement Program

We propose an admissions ceiling of 6,500 for East Asia for FY 2004. With the completion of the processing of the old Burmese student dissident population in Thailand, direct resettlement of Burmese from first-asylum countries is not expected to exceed 400 annually. We project 3,600 admissions under the in-country program in Vietnam, including U11, ROVR, and Amerasian applicants, remaining re-education camp detainees and eligible family members (McCain Amendment cases), in a combination of already-approved cases in the pipeline from FY 2003 and new cases to be adjudicated in FY 2004. We are also engaged in discussions with UNHCR and the Thai government regarding the possible resettlement of some members of a large group of Hmong long stayers in Thailand. The proposed ceiling for FY 2004 includes 2,000 for the portion of this group we project could be admitted during FY 2004 should this processing get underway my mid-year. Processing this group of Hmong would likely continue into FY 2005.

All East Asian nationalities will continue to be eligible for Priority One (P-1) processing when referred to the U.S. program by UNHCR or a U.S. Embassy. The residual ODP and ROVR cases in Vietnam will continue to be processed under Priority Two (P-2).

Proposed FY 2004 East Asia Program:

<i>Approved pipeline from FY 2003</i>	<i>500</i>
<i>First Asylum P-1 Referrals</i>	<i>2,400</i>
<i>P-2 In-Country Program, Vietnam</i>	<i>3,100</i>
<i>Other</i>	<i>500</i>
<u>Total Proposed Ceiling</u>	<u>6,500</u>

7. Possible Future Groups

In East Asia, as part of the initiative to identify refugee populations in need of resettlement, the United States is looking at the situation of Burmese ethnic minorities in camps in Thailand and certain Vietnamese in the Philippines. The majority of these refugees fled their countries of origin a decade or more ago. We are also discussing with the Government of Vietnam the possibility of reopening in-country processing for those few individuals who, through no fault of their own, were unable to enroll in the Orderly Departure Program before registration closed several years ago.

C. EUROPE AND CENTRAL ASIA

The nations that once comprised the Soviet Union now show a wide divergence of progress in achieving democracy, rule of law, economic growth, and tolerance. Some examples of this variance are noted below.

- *The Baltics*: Estonia, Latvia and Lithuania are functioning democracies and each of the governments is committed to international human rights principles, including freedom of speech, press and religion. In the eleven years since the Baltic nations reestablished their independence, each has developed democratic institutions.
- *Belarus*: Civil society increasingly is under attack by the Lukashenko regime. Journalists have been imprisoned and newspapers closed down. The government has sought to crush all legitimate opposition. Members of NGOs have been assaulted, fined, and imprisoned and opponents of the regime have disappeared. A restrictive law on religion has been passed, and small congregations of “non-traditional” faiths are unable to register or worship.
- *Kazakhstan*: Opposition leaders have been sentenced to long prison terms in trials that have appeared politically motivated. Newly enacted political party legislation severely limits the ability of smaller opposition parties to survive. The independent media has been the victim of a horrific pattern of *intimidation*. The Government of Kazakhstan has taken a number of steps to improve its human rights record in recent months. A principal opposition figure was released from prison and the U.S. Embassy was granted access to a second. The Government of Kazakhstan passed new anti-trafficking legislation, and has pursued judicial reform.
- *Kyrgyz Republic*: A draconian presidential decree severely restricted media freedom and a leading Member of Parliament was jailed on what appeared to be politically motivated charges. Police shot and killed five unarmed demonstrators. The constitutional referendum in February 2003 did not strengthen human rights. Multiple civil suits lodged by Kyrgyz government officials have bankrupted several opposition newspapers. However, the

Government has sought to redress citizen grievances, including the formation of a Constitutional Conference that includes some members of the opposition. The Government also registered in December 2002 the U.S.-funded Media Support Center Foundation, which will provide an independent printing press and training for journalists.

- *Russia*: Seemingly racially motivated attacks against dark-skinned foreigners, immigrants and refugees have occurred in many Russian cities, including Moscow. The Russian government continues to justify its military action in Chechnya as part of the international war against terrorism. On the ground, there are reports of serious human rights violations, including atrocities, by both sides in the conflict. Russia has achieved certain basic elements of democracy, such as elections at all levels that are mostly free and fair, as compared to 10-15 years ago, is in the process of reforming parts of its criminal justice system, and has made many market economy reforms. Russia also has a largely unfettered press in spite of efforts to control television financially and to intimidate journalists. Russia also has far greater tolerance for religion than was the case under the Soviet regime.
- *Turkmenistan*: The people of this country remain without any protected fundamental freedoms, including freedom of assembly and speech.

Although diminishing in number, nationals of the countries of the former Yugoslavia continue to be represented among the population of asylum-seekers in Europe. While both the human rights situation and repatriation opportunities continue to improve in Bosnia, neither is ideal—particularly for returning minorities.

1. Religious Freedom

Freedom of religion has varied widely in the former republics following the breakup of the Soviet Union. Most states regulate religious groups and activities to some degree, following the Western European model of establishing so-called “traditional” religions that enjoy privileges sometimes denied to other, newer religious groups; these same states sometimes view certain newer groups as “dangerous sects and cults.” Following the example of Russia in 1997, many states enacted restrictive legislation to govern the activities of foreign missionaries, especially those from Protestant or “nontraditional” denominations. In many cases, registration with state bodies was required, not only to establish a group as a legal entity that could rent or own space, but in some cases to hold religious services, a clear violation of universal norms of religious freedom.

Anti-Semitic statements by some elected officials, demonstrations by extremist groups, and attacks on synagogues and other places where religious groups gather have been reported, most often in the western successor states, such as Russia and Belarus. In the Muslim Caucasus and Central Asia states, the remaining small Jewish communities enjoy reasonably amicable relations with their Muslim

compatriots. Despite the presence of Muslim extremists, including the Hizb'ut-Tahrir, Jewish communities from Azerbaijan in the Caucasus to Bukhara and Tashkent in Uzbekistan report societal and government support. In contrast, anti-Semitic acts increased in Russia in 2002 and 2003. Notwithstanding the energetic condemnation of such acts by President Putin, police investigation of these incidents, usually described as mere "hooliganism," has been lax.

Religion and ethnicity go hand in hand in the Balkans and persecution on religious/ethnic grounds was a significant factor in both the Bosnia and Kosovo resettlement efforts. The refugee admissions program has provided protection for persecuted Muslims, Catholics, and Orthodox Christians, as well as individuals of other religious minorities and mixed marriages. We will continue to work with UNHCR, non-governmental organizations, human rights groups, and U.S. missions to identify victims of religious persecution for whom resettlement is appropriate.

2. Voluntary Repatriation

The U.S. program in the Former Soviet Union operates largely as an in-country program in which individuals may be processed for refugee status while still in their country of origin; voluntary repatriation therefore is not applicable. Repatriation is always considered for third country nationals identified as refugees by UNHCR. Only those for whom repatriation is not an option are referred to the United States.

According to UNHCR, over 427,000 refugees had returned to Bosnia by February 28, 2003. In addition, over 511,000 internally displaced persons have returned to their homes since the end of the war. The rate of ethnic minority returns has been steadily increasing since 1998, with a peak of 102,000 in 2002. Returns during 2003 could meet this level, although a series of security incidents targeting returnees has kept returns lower than anticipated so far this year. Returns will probably taper off in coming years as the number of remaining displaced persons decreases. In some areas of Bosnia, the lack of economic opportunities and concerns about security conditions discourage returns.

The international community is supporting efforts to create favorable conditions for the return of minorities to Kosovo and is beginning to see some successes. More than 2,700 minority individuals returned in 2002 and we believe that 2003 could see greater numbers of minority returns to Kosovo. Still, a difficult, though gradually improving security environment for minorities, paired with a general economic malaise throughout the territory, will continue to preclude the possibility of large-scale return this year.

In Macedonia, nearly all of the 170,000 people displaced during the 2001 conflict have now returned home. Approximately 3,800 Macedonian refugees remain in Kosovo and have likely chosen to resettle there. There remain another 6,000

IDPs within Macedonia; most of these people are expected to return home by the end of the summer as international community-sponsored reconstruction projects wrap up. Macedonia is also hosting 2,600 Roma refugees from Kosovo. Most will eventually be able to return to Kosovo with some permanently integrating in Macedonia.

3. Local Integration

Since the Presidential Determination establishing the refugee admissions program levels each year allows for the in-country processing of nationals of the countries that were formerly republics of the Soviet Union, integration in the country of first asylum is not applicable. Local integration is always considered for third country nationals identified as refugees by UNHCR. Given the xenophobic policies of most governments in the region, however, local integration is generally not an option.

Substantial populations of Bosnian refugees remain in Germany and other parts of Europe. Some European countries, particularly Norway, Sweden and Denmark, have regularized the status of Bosnians within their borders under temporary protective status regimes. In November 2000, Germany granted temporary residence permits to some 15,000 Bosnian refugees on the basis of the individuals or their family members being considered too traumatized to return to Bosnia. Germany has not, however, granted permanent status to these refugees, who are expected to return to Bosnia upon the completion of their respective medical treatments.

There are some 7,300 Bosnian refugees remaining in Croatia and an estimated 22,000-40,000 Croatian Serbs in Republika Srpska (Bosnia) without permanent status. An estimated 230,000 ethnic Serbs who fled from Croatia now live in Serbia. Many of these refugees had been temporarily resettled in Kosovo and were uprooted once again during the Kosovo conflict in 1999. Political changes in the last two years have improved the possibilities of return to Croatia for Krajina Serbs, though poor economic prospects and bureaucratic obstruction by the Croatian government still pose limits. At the same time, changes in Serbia's nationality law, which now allows dual citizenship, may encourage local integration in Serbia. There are also approximately 120,000 Bosnian Serb refugees residing in Serbia and Montenegro (the vast majority in Serbia). Several thousand returned to Bosnia in the past two years and the rate of return will likely increase in the near future. However, it is expected that the majority will ultimately remain in Serbia and Montenegro.

4. Third-country Resettlement

The United States, Germany, Canada, and Australia all continue to resettle immigrants and refugees from the countries of Europe and Central Asia. Jewish

emigration to Israel continues from the region, with some 22,000 individuals exercising this option in 2002.

In 2003, Australia, Canada and the United States resettled refugees from the former Yugoslavia. The U.S. admissions program continues to receive small numbers of P-1 UNHCR or Embassy referrals for refugees from the Balkans but discontinued accepting new applications for family reunification programs in FY 2001.

5. FY 2003 Admissions

In FY 2003, we estimate 11,500 admissions from the Europe and Central Asia. This is somewhat lower than the ceiling of 16,500 that we proposed last year. The lower number is primarily due to delays in obtaining required security clearances for Russian citizens and many third country nationals referred by UNHCR.

The smaller number is also due to the fact that we are not resettling as many Baku-Armenians as we anticipated. When this P-2 category was introduced on July 1, 2002, it was expected that some 2,300 Baku-Armenians would be approved for admission and arrive in the United States during FY 2003. We now expect to admit only 1,000-2,000 Baku-Armenians. Although 23,000 people applied to the program, only 900 were deemed eligible for interview, while another 900 applications are still under review. The majority of the applicants were found ineligible because they had already obtained Russian citizenship.

In FY 2000, the program initiated circuit rides to the Caucasus and central Asia to consider cases of applicants for whom travel to Moscow was difficult, as well as referrals from UNHCR for nationals of other countries. Circuit rides to process refugees continued in FY 2003. DHS/BCIS traveled to Almaty, Baku, Bishkek, Chisinau and Tashkent, interviewing 820 Lautenberg cases and 140 UNHCR-referred cases.

Approximately 2,000 refugees from the former Yugoslavia will be admitted during FY 2003. All were processed in Zagreb and Belgrade, as processing in Frankfurt was largely completed in FY 2001. Family reunification programs for Bosnian refugees were phased out during FY 2001, but some cases registered before the cut off dates were processed and arrived in the United States during FY 2003. We closed our overseas processing entity (OPE) in Zagreb because the number of refugees in need of processing had grown so small. Our OPE in Belgrade now handles processing for the entire region.

6. FY 2004 U.S. Resettlement Program

The proposed FY 2004 ceiling for refugees from the region is 13,000. We expect some 400 P-1 referrals from UNHCR, including referrals of refugees from Central

Asia, the Caucasus, and the Balkans (Serbs, Kosovars and Roma). UNHCR referrals in Russia are expected to be primarily Africans who cannot return home for fear of persecution and who have no hope of local integration. (Note: African refugee admissions are counted against the Africa ceiling.) UNHCR has also identified over 600 persons of concern in Ukraine, some of whom may be referred to the U.S. refugee program. We plan to begin processing of the Meskhetian Turks of Krasnodar Krai in Russia in FY 2004. This minority group has been unable to obtain Russian citizenship even though they were citizens of the USSR and have lived in Russia for more than ten years.

Proposed FY 2004 Europe & Central Asia Program:

<i>Approved pipeline from FY 2003</i>	<i>5,000</i>
<i>P-1 Referrals from UNHCR</i>	<i>400</i>
<i>In-Country Lautenberg Program</i>	<i>2,600</i>
<i>P-2 Meskhetian Turks</i>	<i>5,000</i>
<i><u>Total Proposed Ceiling:</u></i>	<i><u>13,000</u></i>

7. Possible Future Groups

We will consider resettling other minority groups long resident in Russia or other Republics who are unable to obtain citizenship.

D. LATIN AMERICA AND THE CARIBBEAN

The number of Colombian asylum requests in Ecuador has increased from 154 in the month of January 2002 to over 1,200 in March of 2003. UNHCR reports there are approximately 1,500 Colombians recognized with official temporary status residing in Panama and another 5,080 asylees in Costa Rica. In Venezuela, the number of Colombians “of concern” to UNHCR is believed to be between 20,000 and 50,000.

In response to the dangers faced by police, lawyers, judges and others in Colombia, the United States began a modest P-1 resettlement program in 2002 to resettle Colombians referred by the U.S. Embassy in Bogotá. As the conflict continues in Colombia, we are making provisions to expand the program. We are now interviewing Colombians referred for resettlement consideration by UNHCR in Ecuador and Costa Rica.

Under the U.S.– Cuba Joint Communique of 1994, the United States is committed to approving at least 20,000 Cubans for lawful migration to the United States each year. The refugee admissions component of that overall number is managed under the in-country Priority 2 program. In recent years, Cuban refugee admissions have averaged some 2,500 per year.

The situation in Haiti continues to deteriorate. More migrant outflows are expected as political and economic instability grows. The United States is supporting the expansion of UNHCR's presence in the Dominican Republic to help address the needs of asylum seekers there.

1. Religious Freedom

In Latin America, religious freedom is widely recognized and enjoyed. The key exception is Cuba, where the government engages in active efforts to monitor and control religious institutions, including surveillance, infiltration, harassment of clergy and members, evictions from and confiscation of places of worship, and preventive detention of religious activists. The Cuban government also uses registration as a mechanism of control; by refusing to register new denominations, it makes religious minorities vulnerable to charges of illegal association. The U.S. program offers resettlement to Cubans persecuted for religious activities.

2. Voluntary Repatriation

UNHCR considers repatriation for all Colombian refugees and only refers refugees for resettlement when it is clear that repatriation is not an option. Given the political and military turmoil in Colombia, very few refugees can consider repatriation as a durable solution at present.

3. Local Integration

In the recent past, local integration has been the most suitable solution to regional refugee problems in Latin America. As the conflict in Colombia worsens and more refugees flee to neighboring countries, however, resettlement is becoming an important durable solution for those who face physical risks and have urgent protection needs.

The Governments of Ecuador and Costa Rica have tried to maintain a liberal asylum policy and allow Colombians in need of protection to file asylum applications and integrate. As more refugees have fled to these countries, however, living conditions in Ecuador and Costa Rica for Colombians have deteriorated as refugees wait longer for status determinations and find themselves unable to gain the right to work. For refugees in Venezuela, Panama and Peru, the situation is worse as those governments are reluctant to receive Colombian refugees and lack any effective means to grant refugee status. Many Colombians in need of protection who cross irregularly into these countries must hide in remote border areas or in shantytowns of larger cities.

4. Third-country Resettlement

Canada and the United States offer resettlement to at-risk Colombian refugees in the region for whom resettlement is the only appropriate durable solution. Canada also operates an in-country humanitarian program inside Colombia through which several hundred Colombians are resettled each year. PRM hopes to expand this program in FY 2004 by providing funding for a position at the U.S. Embassy in Bogotá to assist with resettlement referrals and by processing increased numbers of UNHCR-referred refugees in Ecuador and Costa Rica.

The United States also facilitates the resettlement to other countries of Cuban and Haitian migrants who are interdicted by the U.S. Coast Guard or who enter Guantanamo Naval Base illegally and are found by DHS/BCIS to have protection concerns. From 1995 through the end of June 2003, 164 Cubans have been resettled from Guantanamo to eleven different countries, mostly within the region, with a small number going to Europe, Australia and Canada.

5. FY 2003 Admissions

In FY 2003, Cubans comprised the overwhelming majority of refugees resettled in the United States from Latin America. Historically, most Cuban admissions have been former political prisoners and forced labor conscripts who served sentences in the 1960's and 1970's. The program was expanded in 1991 to include human rights activists, displaced professionals and others facing credible claims of persecution. The expanded criteria remain in effect today.

Cubans currently eligible to apply for admission to the U.S. through the P-2 in-country program include the following:

- (1) Former political prisoners;
- (2) Members of persecuted religious minorities;
- (3) Human rights activists;
- (4) Forced labor conscripts (1965-68);
- (5) Persons deprived of their professional credentials or subjected to other disproportionately harsh or discriminatory treatments resulting from their perceived or actual political or religious beliefs;
- (6) Others who appear to have a credible claim that they will face persecution as defined in the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol.

FY 2003 arrivals will depend on how quickly security clearances for Cuban arrivals can be processed. We are likely to admit only 450 refugees from the region, of whom at least 100 will be Colombians. In addition to refugee admissions, many thousands of Cubans will come to the United States through

other legal avenues, such as the Special Cuban Migration Program, commonly referred to as the Cuban lottery program.

6. FY 2004 U.S. Resettlement Program

The 3,500 proposed ceiling for Latin America for FY 2004 will comprise both Cuban refugees eligible for the in-country P-2 program and Colombian, Haitian and other UNHCR referrals processed in third countries within the region.

7. Possible Future Groups

We are discussing with UNHCR the possibility of processing P-1 referrals of Colombian refugees in Venezuela and Panama.

Proposed FY 2004 program for Latin America:

<i>Approved pipeline from FY 2003</i>	<i>1,500</i>
<i>P-1 Referrals</i>	<i>1,000</i>
<i><u>P-2 Cuba In-Country program</u></i>	<i><u>1,000</u></i>
<i><u>Total Proposed Ceiling</u></i>	<i><u>3,500</u></i>

E. NEAR EAST AND SOUTH ASIA

Despite the wars in Iraq and Afghanistan, which have dramatically expanded the possibilities for refugee repatriation, the Near East/South Asia region remains host to the majority of the world's refugee population -- some 7 million people, primarily Afghans, Palestinians and Iraqis. Few countries in the region are signatories to the 1951 UN Convention relating to the Status of Refugees and/or its 1967 Protocol. Nonetheless, host governments generally continue to tolerate the presence of refugees.

UNHCR, the International Committee for the Red Cross (ICRC), the United Nations Relief and Works Agency (UNRWA), and other humanitarian organizations work with refugees in the region. Some countries have provided long-term protection, mainly to Palestinians, Afghans and some African nationals. Despite the voluntary return of over two million Afghan refugees from countries of asylum since November 2001, the Government of Pakistan has acknowledged that it may need to continue to host some of the Afghan population or locally integrate those resident there for many years. Other countries in the region have provided long-term asylum for Tibetan, Bhutanese, Sri Lankan and Iraqi refugees. With the cessation of hostilities in Iraq, it is hoped that the majority of Iraqi refugees will be able to return to Iraq. Refugees identified for third-country resettlement by UNHCR in the region include Afghans in

Pakistan, Iran and India, Afghans and Iranians in Turkey, and some particularly vulnerable Iraqis throughout the region.

1. Religious Persecution

Persecution of religious minorities is common in certain countries in the Middle East and South Asia. In Pakistan, discriminatory legislation has led to acts of violence by extremists against religious minorities, including Shi'as, Christians, Hindus, Ahmadis and Zikris. In 2002, terrorist violence was directed against the international Protestant church in Islamabad, killing two Americans. In India, responses by state and local authorities to extremist violence against religious minorities, particularly Muslims, are often inadequate. In Saudi Arabia, public non-Muslim worship is a criminal offense, and the minority Shi'a Muslim and Ismaili communities are subject to longstanding official discrimination. In several countries in the region, the conversion of a Muslim to another religion is viewed a criminal act. In Iran, particularly severe persecution of minority religions continues to be reported. In addition to the P-2 program for Iranian religious minorities, the U.S. refugee admissions program accepts UNHCR and Embassy P-1 referrals of religious minorities of various nationalities in the region.

2. Voluntary Repatriation

Since the fall of the Taliban, voluntary repatriation to Afghanistan has proceeded on a massive scale, with and without UNHCR assistance. UNHCR estimates that some two million Afghan refugees returned to Afghanistan in 2002, the majority of them from Pakistan and Iran. UNHCR predicts that hundreds of thousands more will return in 2003. The greater-than-expected numbers of returnees has taxed the capacity of the UN and other humanitarian organizations to conduct and/or monitor repatriation of Afghan refugees. Sporadic inter-factional fighting and persistent drought have led to a continued small outflow of Afghans, primarily into Pakistan.

Given the U.S. military intervention in Iraq in 2003, it is expected that the majority of the 400,000 Iraqi refugees located throughout the Middle East and Europe will be able to return home in the near or mid term.

3. Local Integration

Few countries in the region offer local integration to refugees. Recently, UNHCR and the Governments of Pakistan and Afghanistan signed a Tripartite Agreement that provides for the orderly, voluntary return of Afghan refugees residing in Pakistan through the end of 2005. UNHCR reports that the Government of Pakistan may soon consider registering and issuing work permits to non-Afghan refugees who have been resident in Pakistan for several years and who do not intend to return to their home countries.

India does not have a clear national policy for the treatment of refugees and the UNHCR has no formal status there. India recognizes and aids certain groups, including Tamils and Tibetans, in 130 camps throughout the country. It permits UNHCR to assist other groups, primarily Afghans, Iranians, Somalis, Burmese, and Sudanese. Many Tibetans and Sri Lankan Tamils in India are permitted to work and receive social benefits.

4. Third-Country Resettlement

The absence of legal protection for asylum-seekers in the region leaves many refugees at risk of refoulement. The situation is especially precarious for Iranians, who are often viewed with suspicion or hostility in neighboring countries.

In 2002, UNHCR continued its attempts to reduce the backlog of refugees awaiting status determinations in the Middle East. Principal resettlement countries operating in the region include the United States, Sweden, Canada, Norway, Australia, Finland, Denmark, and New Zealand. UNHCR considers family reunification, protection issues and vulnerability in first asylum when determining which individuals to refer to resettlement countries.

Historically the United States has primarily resettled refugees from Iran, Iraq, and Afghanistan from this region. With repatriation now a real possibility for many Afghans and Iraqis, we expect to process only extremely vulnerable refugees from those countries who cannot return to their homes. We will continue to resettle Iranian religious minorities through our programs in Turkey and Austria and Afghan Women at Risk (WAR) through Pakistan.

Middle Eastern and South Asian refugees in Europe avail themselves of the asylum systems of the countries in which they are located. In Vienna, however, certain Iranian religious minorities (Baha'is, Zoroastrians, Jews and Christians) may be processed for U.S. resettlement using special procedures authorized by the government of Austria.

PRM currently has refugee processing facilities in Turkey, Jordan, Syria, Egypt and Pakistan. In addition, DHS/BCIS conducts circuit rides to other locations in the region on an as-needed basis.

5. FY 2003 Admissions

In the latter part of FY 2002 and in FY 2003, DHS/BCIS officers were unable to travel regularly to the majority of refugee processing sites in the Middle East because of security concerns. Security namecheck requirements imposed on the program in the aftermath of September 11, 2001 continued to result in slow processing of most refugees from the region.

Current estimates are that we will admit some 4,350 refugees from the region in FY 2003. This total will include several hundred Iranians processed in Austria and Turkey, and 1,300 refugees, primarily Afghan Women at Risk, processed in Pakistan. The remainder will come from a variety of locations in the region. A small number will also be processed in Russia and Central Asia.

6. FY 2004 U.S. Resettlement Program

The proposed regional ceiling for refugees from the Near East and South Asia for FY 2004 is 2,000 and includes primarily Iranian religious minorities and vulnerable Afghan WARs. It also includes some 600 refugees approved in FY 2002 and 2003 who will not have completed processing by the end of FY 2003.

Proposed FY-2003 Near East/South Asia program:

<i>Approved pipeline from FY 2003</i>	<i>600</i>
<i>P-1 Referrals from UNHCR</i>	<i>800</i>
<i><u>P-2 Iranian Religious Minorities</u></i>	<i><u>600</u></i>
<i><u>Total Proposed Ceiling</u></i>	<i><u>2,000</u></i>

7. Possible Future Groups

Depending on the security environment, we hope to resume refugee processing in several locations throughout the region. We are also monitoring verification efforts underway in Nepal of as many as 70,000 Bhutanese refugees with a view toward possible resettlement of those for whom other repatriation or local integration are not viable.

F. UNALLOCATED RESERVE

Included in the FY 2004 admissions program are 20,000 funded but unallocated admissions numbers that will be used if we are able to identify and process additional refugee caseloads during FY 2004. Given our ongoing efforts to develop new caseloads, this unallocated reserve will provide ample flexibility to accommodate additional numbers in any geographic region. Some populations now under consideration which could lead to the need for unallocated reserve numbers include: Vietnamese in the Philippines, Bhutanese in Nepal, and additional Liberians in West Africa.

IV. DOMESTIC IMPACT OF REFUGEE ADMISSIONS

The demographic characteristics of arrivals from the 15 largest source countries (which contributed 99% of FY 2002 arrivals into the United States) illustrate the variation among refugee groups. (See Table II.) Median age ranged from 15 years for arrivals from Afghanistan to 34 years for arrivals from Cuba. The median age for all refugees resettled in FY 2002 was 26 years. Nearly two-thirds of refugees from Somalia and Afghanistan were female. Males were proportionately the majority of refugees from several other countries, but none more than 56 percent of the total.

Considerable variation among refugee groups can be seen among specific age categories. Arrivals under the age of five varied from a high of 16% for the Sudanese to a low of 3% of those from Sierra Leone. Arrivals of school-age children (five to 17 years of age) varied from a high of 53% for Afghans to a low of 17% for Vietnamese. Arrivals of working-age (16 to 64 years of age) varied from 75% for Iranians to a low of 46% for those from Afghanistan. Arrivals of retirement-age (65 years or older) varied from a high of 10% for arrivals from the former Soviet Union to a low of under 1 percent from the Sudan, Ethiopia, the Democratic Republic of Congo and Burundi. For all arrivals, 8% were under the age of five, 27% were of school age, 63% were of working age, and 6% were of retirement age. (See Table III.)

During FY 2002, 77% of newly arrived refugees resettled in 15 States. California (16%) resettled the largest number of refugees, followed by Washington state (10%), New York (9%), Florida (7 percent), North Carolina and Texas (5%), Georgia, Illinois, and Pennsylvania (4%), and Oregon, Pennsylvania, Illinois, Georgia (4%), and Arizona with about 3 percent of newly arrived refugees. Table IV presents arrivals by state of initial resettlement for FY 2002.

In FY 2002, the 15 largest source countries contributed over 99% of arrivals into the United States. Because of the volatility of the world situation, the number of refugees admitted (which represent only about 40 percent of last year's total) and distribution varies somewhat from last year's figures. Refugee countries of origin included the former USSR (37 percent of all refugees in FY 2002), the former Yugoslavia (20 percent), Vietnam (12 percent), Cuba (7 percent), Afghanistan and Iran (6 percent), Sudan (3 percent), Liberia and Iraq (2 percent), and Ethiopia, Somalia and Sierra Leone with about 1 percent each. Table V presents arrivals by country of origin for FY 2002.

TABLE II
MEDIAN AGE AND SEX FOR REFUGEE ARRIVALS FY 2002

COUNTRY OF ORIGIN	RANK (# OF ARRIVALS)	MEDIAN AGE	% FEMALE/ % MALE
All Countries Combined		26.0	51.0 / 49.0
Former Soviet Union	1	28.0	51.5 / 48.5
Former Yugoslavia	2	25.0	50.1 / 49.9
Vietnam	3	29.0	44.8 / 55.2
Cuba	4	34.0	47.0 / 53.0
Afghanistan	5	15.0	63.3 / 36.7
Iran	6	27.0	53.0 / 47.0
Sudan	7	21.0	43.7 / 56.4
Liberia	8	18.0	56.0 / 44.0
Iraq	9	25.0	54.0 / 46.0
Ethiopia	10	20.0	45.9 / 54.1
Somalia	11	22.0	65.7 / 34.3
Sierra Leone	12	20.0	55.7 / 44.3
Burma	13	24.0	45.3 / 54.7
Congo (DROC)	14	18.0	44.8 / 55.2
Burundi	15	19.5	46.8 / 53.2
All other Countries	--	19.0	53.2 / 46.8

TABLE III**SELECT AGE CATEGORIES FOR REFUGEE ARRIVALS FY 2002***

COUNTRY OF ORIGIN	UNDER 5 YEARS	SCHOOL AGE (5-17)	WORKING AGE (16-64)	RETIREMENT AGE (= OR > 65)
All countries combined	8.1	27.4	62.9	5.8
Former Soviet Union	8.5	28.9	56.6	10.2
Former Yugoslavia	6.9	26.6	69.6	1.7
Vietnam	10.8	16.7	70.8	4.3
Cuba	5.7	18.4	70.6	8.3
Afghanistan	6.3	53.2	45.8	1.7
Iran	3.7	19.8	75.2	5.1
Sudan	16.3	25.4	61.0	0.3
Liberia	8.9	38.1	57.2	3.9
Iraq	10.3	26.7	64.1	1.3
Ethiopia	7.3	32.5	65.7	0.3
Somalia	5.4	26.9	65.3	6.6
Sierra Leone	3.4	33.5	64.8	4.0
Burma	14.1	20.3	67.2	1.6
Congo (DROC)	8.6	41.0	55.2	0.0
Burundi	12.9	32.3	61.3	0.0
All Other Countries	12.9	34.3	55.0	1.1

*Totals may exceed 100% due to over-lapping age categories.

TABLE IV
REFUGEE ARRIVALS BY STATE OF INITIAL RESETTLEMENT, FY 2002

State	Refugee Arrivals	Amerasian Arrivals	Total Arrivals to State	% of Total Arrivals
Alabama	29	3	32	0.12%
Alaska	19	0	19	0.07%
Arizona	844	10	854	3.15%
Arkansas	0	0	0	0.00%
California	4212	43	4,255	15.72%
Colorado	454	0	454	1.68%
Connecticut	437	7	444	1.64%
Delaware	36	0	36	0.13%
District of Columbia	33	0	33	0.12%
Florida	1901	4	1,905	7.04%
Georgia	844	13	857	3.17%
Hawaii	4	0	4	0.01%
Idaho	272	6	278	1.03%
Illinois	869	12	881	3.25%
Indiana	171	0	171	0.63%
Iowa	401	12	413	1.53%
Kansas	39	0	39	0.14%
Kentucky	329	0	329	1.22%
Louisiana	96	5	101	0.37%
Maine	92	0	92	0.34%
Maryland	412	0	412	1.52%
Massachusetts	691	9	700	2.59%
Michigan	471	15	486	1.80%
Minnesota	696	5	701	2.59%
Mississippi	3	3	6	0.02%
Missouri	755	0	755	2.79%
Montana	4	0	4	0.01%
Nebraska	199	0	199	0.74%
Nevada	158	0	158	0.58%
New Hampshire	254	0	254	0.94%
New Jersey	336	9	345	1.27%
New Mexico	90	0	90	0.33%
New York	2320	15	2,335	8.63%
North Carolina	1348	5	1,353	5.00%
North Dakota	52	0	52	0.19%
Ohio	560	0	560	2.07%
Oklahoma	50	2	52	0.19%
Oregon	949	3	952	3.52%

State	Refugee Arrivals	Amerasian Arrivals	Total Arrivals to State	% of Total Arrivals
Pennsylvania	929	11	940	3.47%
Puerto Rico	7	0	7	0.03%
Rhode Island	38	0	38	0.14%
South Carolina	76	0	76	0.28%
South Dakota	107	0	107	0.40%
Tennessee	321	5	326	1.20%
Texas	1208	56	1,264	4.67%
Utah	248	0	248	0.92%
Vermont	89	0	89	0.33%
Virginia	547	10	557	2.06%
Washington	2621	0	2,621	9.68%
West Virginia	1	0	1	0.00%
Wisconsin	185	0	185	0.68%
Wyoming	0	0	0	0.00%
TOTAL	26,807	263	27,070	100.0%

Source: Department of Health and Human Services, Office of Refugee Resettlement

Note: Arrival figures do not reflect secondary migration.

TABLE V
REFUGEE ARRIVALS BY COUNTRY OF ORIGIN, FY 2002

COUNTRY OF ORIGIN	Total Refugee and Amerasian Arrivals	
	Number	%
AFGHANISTAN	1,669	6.17%
ALBANIA	5	0.02%
ANGOLA	16	0.06%
AUSTRIA	1	0.00%
BENIN	1	0.00%
BURMA	128	0.47%
BURUNDI	62	0.23%
CAMBODIA	2	0.01%
CAMEROON	6	0.02%
CHAD	1	0.00%
CHINA	7	0.03%
COLOMBIA	8	0.03%
CONGO	4	0.01%
CUBA	1,925	7.11%
CONGO (DROC)	105	0.39%
DJIBOUTI	1	0.00%
EGYPT	1	0.00%
ERITREA	14	0.05%
ETHIOPIA	329	1.22%
GHANA	4	0.01%
GUINEA	5	0.02%
HAITI	2	0.01%
INDONESIA	18	0.07%
IRAN	1,525	5.63%
IRAQ	446	1.65%
IVORY COAST	3	0.01%
JORDAN	4	0.01%
KENYA	24	0.09%
KUWAIT	6	0.02%
LAOS	18	0.07%
LEBANON	7	0.03%
LIBERIA	561	2.07%
MAURITANIA	6	0.02%
NIGERIA	27	0.10%
ROMANIA	1	0.00%
RWANDA	47	0.17%
SENEGAL	3	0.01%
SIERRA LEONE	176	0.65%

COUNTRY OF ORIGIN	Total Refugee and Amerasian Arrivals	
	Number	%
SOMALIA	242	0.89%
SRI LANKA	5	0.02%
STATELESS	3	0.01%
SUDAN	882	3.26%
SYRIA	4	0.01%
TANZANIA	1	0.00%
THAILAND	4	0.01%
TOGO	16	0.06%
UGANDA	2	0.01%
FORMER USSR	9,978	36.86%
UNITED KINGDOM	1	0.00%
UNKNOWN	2	0.01%
VIETNAM *	3,312	12.23%
FORMER YUGOSLAVIA	5,450	20.13%
TOTAL	27,070	100.00%

Source: Department of Health and Human Services, Office of Refugee Resettlement

* Arrivals from Vietnam include 263 Amerasians.

TABLE VI
ESTIMATED COSTS OF REFUGEE PROCESSING, MOVEMENT, AND RESETTLEMENT
FY 2003 AND FY 2004 ESTIMATES
(\$ MILLIONS)

AGENCY	ESTIMATED FUNDING FY 2003 (BY ACTIVITY)	ESTIMATED FUNDING FY 2004 (BY ACTIVITY)
DEPARTMENT OF HOMELAND SECURITY <i>BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES</i>		
Refugee Processing:	15.4	15.3
DEPARTMENT OF STATE <i>Bureau for Population, Refugee, and Migration</i>		
Refugee Admissions:	130.0	135.8
DEPARTMENT OF HEALTH AND HUMAN SERVICES <i>Administration for Children and Families, Office of Refugee Resettlement*</i>		
Refugee Resettlement:	460.2	443.8
TOTAL	598.1	578.7

- * Does not include costs associated with the Transitional Assistance for Needy Families (TANF), Medicaid, or SSI programs. Eligibility for ORR's refugee services includes Cuban and Haitian Entrants, certain Amerasians from Vietnam, victims of a severe form of trafficking and some victims of torture. None of these additional groups is included in the refugee admissions ceiling.

TABLE VII
UNHCR RESETTLEMENT STATISTICS BY RESETTLEMENT COUNTRY
CY 2002
DEPARTURES

RESETTLEMENT COUNTRIES	TOTAL	PERCENT OF TOTAL ADMISSIONS
Australia	2,771	13 %
Canada	4,744	22%
Denmark	545	2%
Finland	610	3%
Great Britain	243	1%
Netherlands	168	1%
New Zealand	729	3%
Norway	1,618	8%
Sweden	1,079	5%
United States	8,142	39%
Other*	383	2%
TOTAL	21,032	100%

* Principally to Italy, Germany, Ireland, Belgium, Brazil, and France.

Source: United Nations High Commissioner for Refugees